

AMENDMENTS TO THE CLAIMS

1. (Currently Amended) A method of recording data on a recording medium, the method comprising:

selecting a defect management mode selectable between a defect management on mode and a defect management off mode;

allocating a spare area to be used for replacing a defective block, in a user data area according to the selected defect management mode;

recording a temporary disc definition structure, comprising:

information on a size of the allocated spare area in which a replacement block replacing a defective block occurring in the user data block is recorded; and

~~an empty~~ a temporary defect list in a temporary defect management area;
providing a defect management area in a lead-in area of the recording medium;

recording the data on the recording medium while performing defect management, when the defect management ~~on mode~~ on mode is selected; and

recording the data on the recording medium without defect management, when the defect management off mode is selected,

wherein the temporary disc definition structure includes information on a recording location of the temporary defect list, and

wherein the temporary disc definition structure and the temporary defect list are recorded in the defect management area when the recording medium is finalized.

2-3. (Canceled)

4. (Previously Presented) The method of claim 1, wherein the recording of the data in the defect management on mode further comprises:

changing a size of the spare area; and

updating the temporary disc definition structure to include information on the changed size of the spare area and recording the updated temporary defect management information in the temporary disc definition structure.

5. (Previously Presented) The method of claim 1, wherein the recording of the data in the defect management on mode further comprises converting the defect management on mode into the defect management off mode.

6. (Original) The method of claim 5, wherein the conversion into the defect management off mode comprises:

reinitializing the recording medium to be in the defect management off mode; and
recording the data on the recording medium without defect management after the recording medium is reinitialized in the defect management off mode.

7. (Previously Presented) The method of claim 6, wherein the reinitialization to the defect management off mode comprises:

recording an identifier indicating the defect management off mode in the temporary defect management area; and

recording the temporary disc definition structure that was finally updated in the temporary defect management area in a defect management area of the recording medium.

8. (Canceled)

9. (Previously Presented) The method of claim 1, further comprising finalizing the recording medium, and wherein the finalization of the recording medium comprises:

recording a finalization flag indicating the finalization of the recording medium in the temporary defect management area;

recording temporary defect management information including recording finally updated temporary disc definition structure and temporary defect list of the temporary defect management area in a defect management area of the recording medium; and

filling with predetermined data a remaining area of the temporary defect management area where no data is recorded.

10. (Currently Amended) The method of claim 1, wherein recording of the data in the defect management off mode comprises:

recording the data in [[a]] the user data area of the recording medium in predetermined operation units; and

updating recording management information according to the recording of the data in a temporary defect management area of the recording medium.

11. (Canceled)

12. (Previously Presented) The method of claim 10, further comprising finalizing the recording medium, and wherein the finalization of the recording medium comprises:

recording a finalization flag, which indicates the recording medium is finalized, in the temporary defect management area;

recording recording management information that is finally updated in the temporary defect management area in a defect management area of the recording medium; and

filling with predetermined data a remaining area of the temporary defect management area where no data is recorded.

13. (Currently Amended) A method of reproducing data recorded on a recording medium having a lead-in area, and a user data area, the method comprising:

reading a temporary disc definition structure and a temporary defect list, from a temporary defect management area in the lead-in area, the lead-in area further comprising a defect management area; and

reading user data from the user data area using the temporary defect list;

wherein the temporary disc definition structure comprises information on a size of a spare area in which a replacement block replacing a defective block occurring in the user data area is recorded, [[and]]

wherein the size of the spare area is determined according to a defect management mode which is selected between a defect management on mode in which defect management is performed and a defect management off mode in which defect management is not performed during initialization of the recording medium,

wherein, in response to the defect management off mode being selected, defect management is not performed,

wherein the temporary disc definition structure includes information on a recording location of the temporary defect list, and

wherein the temporary disc definition structure and the temporary defect list are recorded in the defect management area when the recording medium is finalized.

14. (Previously Presented) The method of claim 13, further comprising reading finally updated temporary defect list and finally updated temporary disc definition structure from the temporary defect management area, if the read defect management mode information is a defect management on mode.

15. (Previously Presented) The method of claim 14, further comprising:
reading a finalization flag, which indicates the recording medium is finalized, from the temporary defect management area; and

reading the finally updated temporary defect list and the finally updated temporary disc definition structure from a defect management area of the recording medium.

16. (Previously Presented) The method of claim 13, further comprising reading final recording management information from the temporary defect management area, if the read defect management mode information is a defect management off mode.

17. (Previously Presented) The method of claim 16, further comprising:
reading the finalization flag, which indicates the recording medium is finalized, from the temporary defect management area; and

reading the finally updated temporary defect list and the finally updated temporary disc definition structure from a defect management area of the recording medium.

18-27. (Canceled)

28. (Currently Amended) An apparatus for reproducing data from a recording medium where a lead-in area, and a user data area are arranged, the apparatus comprising:

- a reading unit, ~~which transfers~~ configured to transfer data with respect to the recording medium; and
- a control unit, ~~which controls~~ configured to control the reading unit;

to read a temporary disc definition structure and a temporary defect list, from a temporary defect management area in the lead-in area, the temporary disc definition structure comprising information on a size of a spare area in which a replacement block replacing a defective block occurring in the user data area is recorded, the lead-in area comprising a defect management area, the size of the spare area being determined according to a defect management mode configured to be selected between a defect management on mode in which defect management is performed and a defect management off mode in which defect management is not performed during initialization of the recording medium; and

- to read user data from the user data area using the temporary defect list; and

~~wherein the temporary disc definition structure comprises information on a size of a spare area, and~~

~~the size of the spare area is determined according to a defect management mode which is selected between a defect management on mode in which defect management is performed and a defect management off mode in which defect management is not performed during initialization of the recording medium~~

in response to the defect management off mode being selected, to not perform defect management,

wherein the temporary disc definition structure includes information on a recording location of the temporary defect list, and

wherein the temporary disc definition structure and the temporary defect list are recorded in the defect management area when the recording medium is finalized.

29. (Previously Presented) The apparatus of claim 28, wherein the control unit further controls the reading unit to read finally updated temporary defect list and finally updated temporary disc definition structure from the temporary defect management area, if the read defect management mode is a defect management on mode.

30. (Previously Presented) The apparatus of claim 29, wherein the control unit controls the reading unit to read a finalization flag, which indicates the recording medium was finalized, from the temporary defect management area, and to read the finally updated temporary defect list and the finally updated temporary disc definition structure from a defect management area of the recording medium.

31. (Previously Presented) The apparatus of claim 28, wherein the control unit controls the reading unit to read final recording management information from the temporary defect management area, if the read defect management mode is a defect management off mode.

32. (Previously Presented) The apparatus of claim 31, wherein the control unit controls the reading unit to read a finalization flag, which indicates the recording medium was finalized, from the temporary defect management area, and to read the finally updated temporary defect list and the finally updated temporary disc definition structure from a defect management area of the recording medium.

33-47. (Canceled)

48. (Currently Amended) An apparatus for recording data with respect to a recording medium, the apparatus comprising:

a transfer unit configured to transfer ~~that transfers~~ the data with respect to the recording medium; and

a control unit ~~[[that]]~~ configured to:

select ~~selects~~ a defect management mode selectable between a defect management on mode and a defect management off mode;

allocate ~~allocates~~ a spare area to be used for replacing a defective block, in a user data area according to the selected defect management mode;

control ~~controls~~ the transfer unit to record a temporary disc definition structure comprising:

information on a size of the allocated spare area in which a replacement block replacing a defective block occurring in the user data area is recorded; and

~~an empty~~ a temporary defect list in a temporary defect management area;
~~control~~ ~~controls~~ the transfer unit to record the data on the recording medium while performing defect management, when the defect management on mode is selected; and
~~control~~ ~~controls~~ the transfer unit to record the data on the recording medium without defect management, when the defect management off mode is selected,
wherein the temporary disc definition structure comprises information on a recording location of the temporary defect list, and
wherein the temporary disc definition structure and the temporary defect list are recorded in a defect management area, provided in a lead-in area of the medium, when the recording medium is finalized.

49-54. (Canceled)

55. (Currently Amended) A recording medium for use with a recording and/or reproducing apparatus, the recording medium comprising:
a user data area with respect to which user data is to be recorded on the recording medium, and
a temporary defect management area comprising:
a temporary disc definition structure comprising information on a size of spare area in which a replacement block replacing a defective block occurring in the user data area is recorded; and
~~an empty~~ a temporary defect list; and
a defect management area provided in a lead-in area of the recording medium,
wherein the size of the spare area is determined according to a defect management mode selectable between a defect management on mode, in which defect management is performed to manage defects on the recording medium, and a defect management off mode, in which defect management is not performed,
wherein, in response to the defect management off mode being selected, defect management is not performed,
wherein the temporary disc definition structure comprises information on a recording location of the temporary defect list, and

wherein the temporary disc definition structure and the temporary defect list are recorded in the defect management area when the recording medium is finalized.

56. (Canceled)

57. (Currently Amended) The recording medium of claim 55, wherein the temporary defect management area further comprises finalization information which indicates whether the recording medium has been finalized.

58. (Previously Presented) The recording medium of claim 57, wherein, if the finalization information indicates to the apparatus that the recording medium has not been finalized and the defect management mode indicates to the apparatus the selection to the defect management off mode, a defect management area includes a last recorded temporary defect list and a last recorded temporary disc definition structure which was recorded in the temporary defect management area prior to the selection of the defect management off mode.

59. (Previously Presented) The recording medium of claim 57, wherein, if the finalization information indicates to the apparatus that the recording medium has not been finalized and the defect management mode indicates to the apparatus the selection to the defect management off mode, a defect management area includes no temporary defect list and no temporary disc definition structure.

60. (Canceled)

61. (Currently Amended) A method for recording data on an optical recording medium comprising a lead-in area, a user data area, a lead-out area, a temporary defect management area to store temporary defect information on a defect detected in the user data area and a temporary disc definition structure for managing the temporary defect information and a defect management area to store final temporary defect information and final temporary disc definition structure recorded in the temporary defect management area during a finalization of the optical recording medium, the method comprising:

selecting a defect management mode selectable between a defect management on mode in which defect management is performed and a defect management off mode in which defect management is not performed; and

recording the temporary disc definition structure comprising information on a size of a spare area allocated in the user data area in which a replacement block replacing a defective block occurring in the user data area is recorded after the defect management mode is selected, on the temporary defect management area arranged in the lead-in area or the lead-out area,

wherein, in response to the defect management off mode being selected, defect management is not performed,

wherein the temporary disc definition structure includes information on a recording location of the temporary defect list, and

wherein the temporary disc definition structure and the temporary defect list are recorded in a defect management area, provided in the lead-in area, when the recording medium is finalized.

62. (Currently Amended) A method for reproducing data from an optical recording medium comprising a lead-in area, a user data area, a lead-out area, a temporary defect management area to store temporary defect information on a defect detected in the user data area and a temporary disc definition structure for managing the temporary defect information and a defect management area to store final temporary defect information and final temporary disc definition structure recorded in the temporary defect management area during a finalization of the optical recording medium, the method comprising:

reproducing the temporary disc definition structure comprising information on a size of a spare area allocated in the user data area in which a replacement block replacing a defective block occurring in the user data area is recorded after a defect management mode is selected, from the temporary defect management area arranged in the lead-in area or the lead-out area,

wherein the defect management mode is selectable between a defect management on mode in which defect management is performed and a defect management off mode in which defect management is not performed,

wherein, in response to the defect management off mode being selected, defect management is not performed,

wherein the temporary disc definition structure includes information on a recording location of the temporary defect list, and

wherein the temporary disc definition structure and the temporary defect list are recorded in a defect management area, provided in the lead-in area, when the recording medium is finalized.